

1 RYAN S. LANDES (State Bar No. 252642)  
ryanlandes@quinnemanuel.com  
2 Quinn Emanuel Urquhart & Sullivan, LLP  
865 S Figueroa Street, Floor 10  
3 Los Angeles, CA 90017-5003  
Telephone: (213) 443-3145  
4 Facsimile: (213) 443-3100

5 STACYLYN M. DOORE (admitted *pro hac vice*)  
stacylyndoore@quinnemanuel.com  
6 Quinn Emanuel Urquhart & Sullivan, LLP  
111 Huntington Avenue, Suite 520  
7 Boston, MA 02199  
Telephone: (617) 712-7100  
8 Facsimile: (617) 712-7200

9 RACHEL E. EPSTEIN (admitted *pro hac vice*)  
rachelepstein@quinnemanuel.com  
10 Quinn Emanuel Urquhart & Sullivan, LLP  
295 Fifth Avenue  
11 New York, NY 10016  
Telephone: (212) 849-7000  
12 Facsimile: (212) 849-7100

13 *[Additional counsel on signature page]*

14 *Attorneys for Plaintiff*  
*ELECTRIC SOLIDUS, INC. d/b/a SWAN BITCOIN*

15  
16 **UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
17 **WESTERN DIVISION**

18 ELECTRIC SOLIDUS, INC. d/b/a  
19 SWAN BITCOIN, a Delaware  
corporation,

20 Plaintiff

21 v.

22 PROTON MANAGEMENT LTD., a  
23 British Virgin Islands corporation;  
THOMAS PATRICK FURLONG;  
24 ILIOS CORP., a California corporation;  
MICHAEL ALEXANDER HOLMES;  
25 RAFAEL DIAS MONTELEONE;  
SANTHIRAN NAIDOO; ENRIQUE  
26 ROMUALDEZ; and LUCAS  
VASCONCELOS,

27 Defendants.  
28

Case No. 2:24-cv-8280-MWC-E

**STATEMENT REGARDING  
SWAN'S MOTION TO COMPEL  
TARGETED DISCOVERY  
(DKT. 177)**

**DISCOVERY MATTER**

Hearing Date: May 16, 2025  
Time: 9:30 a.m.  
Place: Courtroom 750, 7th Fl.  
Judge: Hon. Charles F. Eick

Discovery Cutoff: November 7, 2025  
Pre-Trial Conf. Date: April 26, 2026  
Trial Date: May 4, 2026

1 Swan respectfully requests leave to submit this brief update and correction of  
2 the record regarding its pending motion to compel, Dkt. 177. In Proton’s original  
3 submission (Dkt. 176-1 at 4-5, 86) and again in its supplemental memorandum from  
4 Friday night (Dkt. 198 at 2), Proton stated that Swan’s motion was moot because  
5 Proton agreed to produce documents in response to Swan’s first set of discovery  
6 requests. During an April 18 videoconference, Proton initially told Swan it would  
7 begin producing documents last week, which Proton then deferred to this week. *See*  
8 Dkt. 195-2 at 2. Proton still has not produced any documents. Instead, this  
9 morning, Proton informed Swan that it would not produce documents unless Swan  
10 made a significant substantive concession—that Swan would not argue that  
11 Proton’s further engagement in discovery establishes a waiver of any right it may  
12 have had to arbitrate its claims. *See* Ex. 1.

13 Swan should not be required to make prejudicial and newly-imposed  
14 concessions as a condition for receiving discovery, and so now it appears that Proton  
15 will not, in fact, be producing responsive documents, which it had previously agreed  
16 to produce, absent a Court order. *Cf. Lyman v. Greyhound Lines, Inc.*, 2022 WL  
17 772752, at \*11 n.3 (D.S.C. Mar. 14, 2022) (“Greyhound indicated its intent to  
18 comply and thus avoided a written order from this court on the issue. Greyhound’s  
19 about-face on its representation of compliance and attempt to later re-raise those  
20 objections were entirely inappropriate, a waste of party and judicial resources, and  
21 just one example of the undue delay it has effectuated on the discovery  
22 process.”). Moreover, Proton chose not to move to compel arbitration at the outset  
23 of the litigation but rather strategically staged its motions to delay the case and  
24 multiply proceedings. Such tactics should not be countenanced. *See, e.g.,*  
25 *Honeywell Int’l, Inc. v. W. Support Grp.*, 2013 WL 2369919, at \*4 (D. Ariz. May  
26 29, 2013) (“Defendants will not be permitted to circumvent this Court’s previous  
27 discovery rulings and to hold discovery in this case hostage until the Court can rule  
28 on a Motion for Judgment on the Pleadings that could have been filed at any point

1 in the previous year and that is not yet fully briefed.”). And in any event, Proton’s  
2 situation does not give it license to tell the Court it was going to produce documents,  
3 when in fact it was imposing new conditions on that production. The Court should  
4 order Proton to produce documents responsive to Swan’s discovery requests by May  
5 9, 2025.

DATED: May 5, 2025

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By: /s/ Ryan S. Landes

RYAN S. LANDES (State Bar No. 252642)  
ryanlandes@quinnemanuel.com  
865 S Figueroa Street, Floor 10  
Los Angeles, CA 90017-5003  
Telephone: (213) 443-3145  
Facsimile: (213) 443-3100

STACYLYN M. DOORE (admitted *pro hac vice*)  
stacylyndoore@quinnemanuel.com  
111 Huntington Avenue, Suite 520  
Boston, MA 02199  
Telephone: (617) 712-7100  
Facsimile: (617) 712-7200

RACHEL E. EPSTEIN (admitted *pro hac vice*)  
rachelepstein@quinnemanuel.com  
295 Fifth Avenue  
New York, NY 10016  
Telephone: (212) 849-7000  
Facsimile: (212) 849-7100

JEFFREY WILLIAM NARDINELLI (State Bar  
No. 295932)  
jeffnardinelli@quinnemanuel.com  
50 California Street 22nd Floor  
San Francisco, CA 94111  
Telephone: 415-875-6600  
Facsimile: 415-875-6700

AUSTIN BUSCHER (State Bar No. 346456)  
austinbuscher@quinnemanuel.com  
555 Twin Dolphin St., Fifth Floor  
Redwood Shores, CA 94065  
Telephone: (650) 801-5000  
Facsimile: (650) 801-5100

*Attorneys for Plaintiff*  
*ELECTRIC SOLIDUS, INC. d/b/a SWAN*  
*BITCOIN*